

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ANATALIO HOLGUIN,

Plaintiff,

-against-

J. F. MEAT & GROCERY CORP., LUIS FERRERA,  
DANIEL FERRERA, GIOVANNI FERRERA, JULIO  
GUZMAN, and JOHN DOES 1-10,

Defendants.

USDC SDNY  
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DATE FILED: 7/27/2021

1:20-cv-08347-MKV

POST-CONFERENCE  
SCHEDULING ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court held a telephonic post-discovery conference on July 27, 2021. Counsel for all parties were in attendance. Prior to the conference, the parties submitted a joint status letter and pre-motion letters and proposed Local Rule 56.1 statements in connection with Plaintiff's anticipated motion for summary judgment. [ECF Nos. 42-46.]

At the conference, the parties confirmed that discovery is complete. The Court advised the parties of the centralized procedures for scheduling jury trials. Plaintiff's counsel requested time to confer with Plaintiff about pressing his demand for a jury trial. The Court advised the parties that, pursuant to its Individual Practice Rules, it will not entertain summary judgment motion practice if Plaintiff elects to proceed with a nonjury trial.

In accordance with matters discussed at the conference, IT IS HEREBY ORDERED:

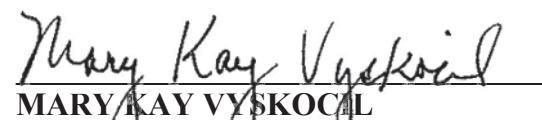
- On or before **July 30, 2021**, the parties shall file a joint letter advising the Court whether Plaintiff will press his demand for a jury trial and if so, whether Plaintiff still wishes to move for summary judgment. If Plaintiff intends to press his demand and move for summary judgment, the parties shall propose a briefing schedule. If Plaintiff elects not to press his demand for a jury trial, the parties shall file a joint statement in pleading form confirming that they consent to a nonjury trial. In either case, the parties shall propose in their letter a method to resolve the statute of limitations issue raised by Defendant.

- The Court will enter or Order of Reference to a Magistrate Judge for settlement purposes. Within three business days of the settlement conference, the parties shall file a joint letter advising the Court of the status (not substance) of settlement negotiations—whether the settlement conference was successful and if not, whether settlement discussions are ongoing or have broken down.

**Failure to comply with the deadlines and other terms of this Order may result in sanctions, including preclusion or dismissal of claims or defenses.**

**SO ORDERED.**

**Date: July 27, 2021  
New York, NY**

  
MARY KAY VYSKOCIL  
United States District Judge